



Docket No.: K2020.0006  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kunio Moriyama et al.

Application No.: 10/790,850

Confirmation No.: 1917

Filed: March 3, 2004

Art Unit: 2881

For: PARTICLE BEAM THERAPY SYSTEM

Examiner: Not Yet Assigned

**PETITION TO MAKE SPECIAL  
UNDER 37 CFR 1.102(d)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition to make the above-identified application special under MPEP § 708.02, X. The application has not yet been examined.

The present application relates to a particle beam therapy system (particle beam treatment system) and a particle beam irradiating method used for the treatment of cancer. The particle beam therapy system comprises a charged particle beam generator and a plurality of treatment rooms in each of which an irradiation unit for irradiating the charged particle beam to the irradiation target (cancerous tumor) is disposed. Further, the particle beam therapy system comprises, in the treatment room, a first manual input device for inputting an irradiation ready state, a safety device for confirming that a beam path for introducing the charged particle beam to the selected treatment room is formed based on a ready signal from the first manual input device, and outputting a ready signal, and a second manual input device for inputting an irradiation start instruction. Therefore, the invention

07/19/2005 HALI11 00000063 10790850

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DSMDB.1954955.1

falls into the category of Invention Relating to HIV/AIDS and Cancer specified in MPEP §708.02, X.

Accordingly, applicant requests that this Petition to Make Special be granted and the application undergo accelerated examination.

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. K2020.0006/P006.

Dated: July 18, 2005

Respectfully submitted,

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PTO/SB/17 (12-04v2)  
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<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
		Application Number	10/790,850-Conf. #1917
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 3, 2004
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Kunio Moriyama
		Examiner Name	Not Yet Assigned
		Art Unit	2881
		Attorney Docket No.	K2020.0006/P006

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <b>04-1073</b> Deposit Account Name: <b>Dickstein Shapiro Morin &amp; Oshinsky LLP</b>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
		Fee (\$)		Fee (\$)		Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						Small Entity	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
- 20 =		x	=		Fee (\$)	Fee Paid (\$)	
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 =		x	=				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
- 100 =	/50	(round up to a whole number) x		=			
<b>4. OTHER FEE(S)</b>							
Other: <u>Petition to Make Special</u>						130.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	33,082 54,374
Name (Print/Type)	Mark J. Thronson Amanda S. Pitcher	Telephone	(202) 775-4742
		Date	July 18, 2005